

Therriault, John

From: McCambridge, Michael
Sent: Wednesday, May 04, 2016 1:08 PM
To: Westefer, Gary (westefer.gary@epa.gov)
Cc: Powell, Mark; Therriault, John
Subject: Request for USEPA Review of Comments Received

Pct# 17

John T.: Please add this e-mail to the docket for R16-7 RCRA Subtitle C update as a public comment.

The public comment period for the R16-7 RCRA Subtitle C update ended on May 2, 2016. The Board received three sets of substantive comments on that day, from IEPA, IERG, and the Dow Chemical Company. A copy of each is attached.

The comments sought clarification of various aspects of the Definition of Solid Waste Rule. Some of the clarifications sought relate to areas in which the Board itself sought clarification in the opinion segment of the March 3, 2016 proposal for public comment. The *Federal Register* notice of January 13, 2015 was not entirely clear on many points.

The Board invites USEPA to review the attached comments and provide comment or clarification within discretion of USEPA. The Board is aware that USEPA does not routinely comment on the substance of RCRA Subtitle C rules revisions until after the Board has voted to adopt them. At the very least, this invitation for USEPA comment will facilitate USEPA submission of comments during the 30-day review period provided in the primacy agreement.

The Board is now working to finalize an opinion and order to adopt amendments based on the proposal for public comment. This process should take another two to four weeks, given the amount of rules text involved and the volume and nature of the comments received.

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